

## **REMARKS**

Claims 1-170 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 20, 35, 53, 73, 92, 112, 131 and 151 are rejected under 35 U.S.C. § 102(e) as being anticipated by Joergensen (U.S. Pat. No.6,529,957). This rejection is respectfully traversed.

Applicant submits that Joergensen fails to show, teach, or suggest a network interface connector (NIC) that communicates with a first device over first media and with a second device over second media, wherein **said network interface connector provides autonegotiation between the first and second devices**. In other words, a connector between the first and second devices provides the autonegotiation. In contrast, Joergensen appears to generally disclose autonegotiation without explicitly or implicitly indicating a **network interface connector that provides autonegotiation**.

For anticipation to be present under 35 U.S.C §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech, Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Joergensen

fails to disclose the limitation of **a network interface connector** that provides autonegotiation between first and second devices.

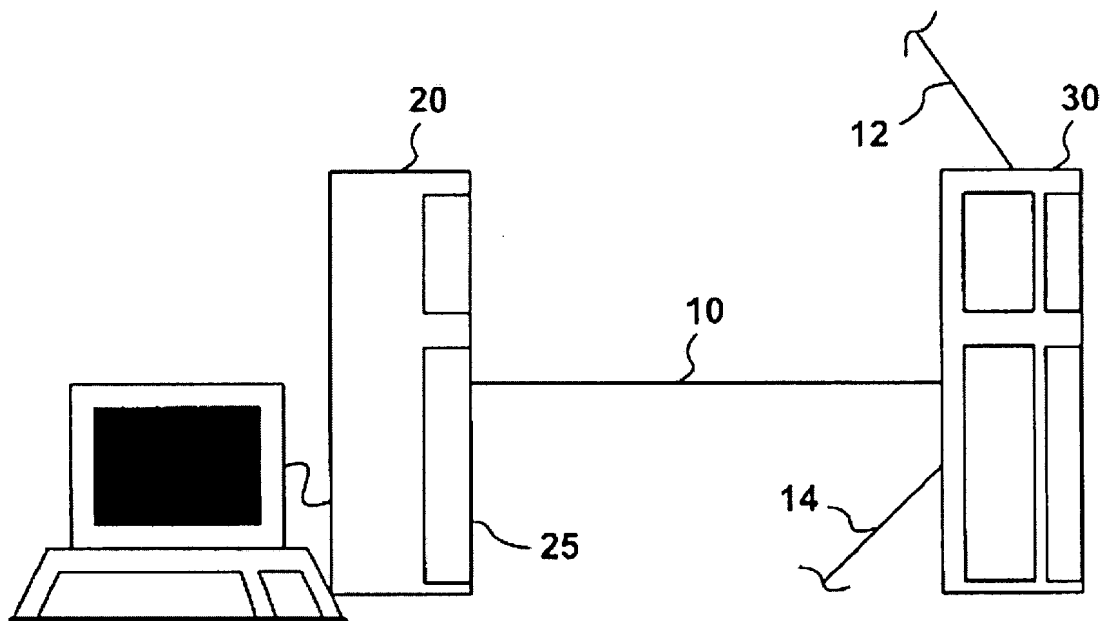
As shown in an exemplary embodiment in FIGS. 3 and 4 of the present application, a network interface connector such as a Gigabit interface connector (GBIC) module 56 communicates with a first device (e.g. a switch 50) via a 1000BASE-X protocol. The GBIC module 56 communicates with a second device 62 via a 1000BASE-T protocol. In other words, the first device communicates over a first media and the second device communicates over a second media. The GBIC module 56 is an exemplary **network interface connector that provides autonegotiation between the first device and the second device**. More specifically, Applicant notes that the network interface connector in particular, rather than the switch 50 or the device 62, provides the autonegotiation.

In contrast, Applicant respectfully submits that Joergensen appears to disclose autonegotiation but fails to disclose a network interface connector that provides autonegotiation. For example, the Examiner relies on FIG. 1 to disclose a first device (PC 20) and a second device (switch 30), and a network interface connector (Ethernet interface card 25) that provides autonegotiation between the PC 20 and the switch 30. Applicant respectfully disagrees.

Initially, Applicant notes that claim 1 recites that the first and second devices communicate with first and second media, respectively (e.g. as shown in an exemplary embodiments in FIGS. 3 and 4 of the present application). In contrast, FIG. 1 of Joergensen appears to be absent of any teaching or suggestion of this structure. In support of this allegation, the Examiner cites Column 2, Lines 22-25, which state:

PC 20 and switch 30 are each capable of running multiple Ethernet implementations, such as 10 Base-T or 100 Base-TX, for example, using appropriate software and/or hardware.

Applicant respectfully notes that the cited portion does not disclose that the PC 20 and the switch 30 communicate with a first media and a second media, and instead merely indicates that the PC 20 and the switch 30 are capable of running multiple Ethernet implementations. Indeed, Applicant notes that FIG. 1 appears to disclose a single medium (link segment 10) connected between the two devices:



As such, Joergensen fails to disclose that the alleged network interface connector communicates with the first device (the PC 20) with a first media and communicates with the second device (the switch 30) with a second media.

Further, Applicant respectfully notes that claim 1 recites a **network interface connector** that provides autonegotiation. The Examiner relies on the Ethernet interface card 25 to disclose the network interface connector. For exemplary purposes, the

present application describes a GBIC network interface connector, which is a network interface connector that provides multiple interfaces for communicating with wired (copper) and/or optical media. Applicant respectfully asserts that **an Ethernet interface card is not analogous to a network interface connector**. In particular, Applicant asserts that the term “network interface connector” embodies a specific hardware element in the art of network communications.

Applicant notes that claim 1 further recites that the network interface connector provides the autonegotiation. Joergensen fails to disclose that the alleged device 25 provides the autonegotiation. Instead, Joergensen discloses, generally, that “PC 20 and switch 30 each support autonegotiation.” (Column 20, Lines 28-30). Applicant respectfully notes that **a mere indication of autonegotiation is not analogous to a network interface connector, specifically, that provides autonegotiation between first and second devices** as claim 1 recites.

Applicant respectfully submits that claim 1, as well as its dependent claims, should be allowable for at least the above reasons. The remaining independent claims, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

#### **ALLOWABLE SUBJECT MATTER**

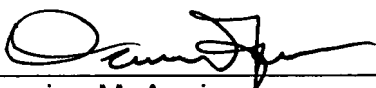
The Examiner states that claims 13-19, 28-34, 46-52, 65-72, 85-91, 104-111, 124-130, 143-150, and 163-170 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter. Applicant elects to defer amending these claims into independent form until after the above remarks are considered.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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